

1 IN THE MATTER OF:

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3  
4 Omega Chemical Corporation  
5 12504 & 12512 E. Whittier Blvd.  
6 Whittier, CA 90602  
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9  
10 RESPONDENTS:

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12  
13 Listed in Appendices A & B  
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) FIRST AMENDMENT TO  
) ADMINISTRATIVE ORDER  
) 95-15  
) PURSUANT TO SECTION 106  
) OF THE COMPREHENSIVE  
) ENVIRONMENTAL RESPONSE  
) COMPENSATION AND  
) LIABILITY ACT OF 1980  
) as amended, 42 U.S.C.  
) Section 9606(a)

24 FIRST AMENDMENT

25 WHEREAS, on May 9, 1995, the U.S. Environmental  
26 Protection Agency (EPA) issued Administrative Order No. 95-15  
27 ("Order") (Attachment 1) regarding the Omega Chemical Corporation  
28 Site located at 12504 E. Whittier Boulevard, Whittier, California  
29 ("Site"). EPA issued the Order to parties who sent greater than  
30 ten (10) tons of hazardous waste to the Site according to  
31 California Department of Toxic Substances Control's ("DTSC")  
32 computer database of hazardous waste manifest information for  
33 1988-1992. The Order required the named Respondents to undertake  
34 and complete removal activities to abate an imminent and  
35 substantial endangerment to the public health and welfare or the  
36 environment that may be presented by the actual or threatened  
37 release of hazardous substances at or from the Site.

38 WHEREAS, approximately 115 Respondents ("Participating  
39 Respondents") have expressed their intent to comply with Phase I  
40 of the Order as required by Paragraph 17 of the Order.

41 WHEREAS, Respondents are required to express their

1 intent to comply with Phase II of the Work and submit the Phase  
2 II Work Plan by September 1, 1995 under the Order. The  
3 Participating Respondents have requested an extension of time for  
4 these requirements under the Order.

5 WHEREAS, on June 27, 1995, the Participating  
6 Respondents initiated the Phase I removal activities at the Site.  
7 Through these activities, they have confirmed the existence of  
8 actual and threatened releases of hazardous substances into the  
9 environment at the Site. Sampling and analysis of the drums at  
10 the Site revealed the presence of hazardous substances, including  
11 characteristic hazardous waste, chlorinated hydrocarbons,  
12 pesticides, acids, organic peroxides (which are explosive),  
13 calcium carbide, HF acid and diethyl ether.

14 WHEREAS, during the course of drum removal activities,  
15 the Participating Respondents uncovered additional evidence of  
16 potential releases of hazardous substances to the environment at  
17 the Site. The drums at the Site were stored on wooden pallets  
18 placed on a concrete pad. Removal of the drums has exposed  
19 corrosion and cracks in the concrete pad beneath the drums --  
20 some of which were observed leaking as recently as July 25, 1995  
21 -- creating a potential for further releases of hazardous  
22 substances into the underlying soil and groundwater at the Site.

23 WHEREAS Participating Respondents have confirmed the  
24 presence of hazardous substances in surface water at the Site.  
25 On July 29, 1995, they sampled a pool of approximately 1000  
26 gallons of discolored surface water located near a loading dock  
27 at the Site. The sampling results indicated the presence of  
28 hazardous substances, including dichloroethylene,  
29 trichloroethylene, and tetrachloroethylene. Consequently, the  
30 Participating Respondents removed the water on July 13, 1995.

31 WHEREAS, Participating Respondents have confirmed that  
32 cylinders in the warehouse contain hazardous substances including  
33 waste CFCs, trichlorofluoromethane, dichlorodifluoromethane,  
34 trichlorotrifluoroethane, ethene, ethane, isobutane and propene.

35 WHEREAS, Participating Respondents have confirmed the  
36 presence of hazardous waste exhibiting the characteristics of  
37 ignitability and corrosivity in the drums in the warehouse.  
38 Furthermore, the labels on the warehouse drums state that the  
39 containers contain various percentages of hazardous substances  
40 including R-11 (trichloromonofluoromethane), methylene chloride,  
41 R-113 (trichlorotrifluoroethane), trichloroethane,  
42 trichloroethylene and perchloroethylene.

43 WHEREAS, Participating Respondents have confirmed the  
44 presence of hazardous substances in the sludge of five 5,000  
45 gallon tanks. Sampling and analysis revealed hazardous  
46 substances including lead, cadmium, mercury, 2-butanone,

1 methylene chloride, tetrachloroethane, toluene, 1,1,1-  
2 trichloroethane, xylenes, 1,2-dichlorobenzene and other  
3 substances.

4 WHEREAS on July 31, 1995, EPA received additional  
5 manifest database information from DTSC regarding hazardous waste  
6 sent to the Omega Chemical during the years 1981-1988 and added  
7 this information to the pre-1988 manifest database. Based on the  
8 combined 1981-1992 database, EPA has identified additional  
9 parties that sent greater than 10 tons of hazardous waste to the  
10 Site. These newly identified parties are listed in Attachment 2.

11 WHEREAS, EPA has learned that the address of the  
12 administrative building at the Site is 12512 E. Whittier Blvd.,  
13 Whittier, CA 90602. This administrative building is included in  
14 the description of the Site in Administrative Order 95-15.

15 THEREFORE Administrative Order 95-15 is hereby amended as  
16 follows:

17 CAPTION AND APPENDIX A

18 1. Appendix A (List of Respondents to Administrative Order  
19 95-15) is amended to add the entities identified in Attachment 2.

20 2. Appendix B is amended to add Omega Refrigerant  
21 Reclamation located at 12504 Whittier Blvd., Whittier, California  
22 90602.

23 FINDINGS OF FACT

24 1. Site Description/Location: The first sentence (Page 2,  
25 Lines 26 and 27) are replaced with the following:

26 The Omega Chemical Corporation Site is located at 12504  
27 and 12512 E. Whittier Blvd., Whittier, California.

28 2. Respondents: The following paragraph is added to this  
29 section:

30 Respondent Omega Refrigerant Reclamation is a  
31 corporation incorporated under the laws of California. Omega  
32 Refrigerant Reclamation owns equipment at the Site.

33 2. Respondents: page 4, lines 1-7 are deleted and replaced  
34 with the following:

35 The Respondents listed in Appendix A arranged for  
36 disposal or treatment, or arranged with a transporter for  
37 transport for disposal or treatment of greater than ten (10) tons  
38 of hazardous waste to the Site according to California Department

1 of Toxic Substances Control's ("DTSC") computer database of  
2 hazardous waste manifest information for 1981-1992.

3 4. Page 6, lines 16-36 are deleted.

#### 4 CONCLUSIONS OF LAW

5 9. page 8: The following sentence is added to paragraph 9:

6 Respondent Omega Refrigerant Reclamation is an owner or  
7 operator of the Site as defined by Section 101(20) of CERCLA, 42  
8 U.S.C. Section 9601(20) and owned or operated the Site within the  
9 meaning of Section 107(a)(2) of CERCLA, 42 U.S.C. Section  
10 107(a)(2).

11 12. Page 8: This paragraph 12 is deleted and replaced with  
12 the following:

13 Trichlorofluoromethane, dichlorodifluoromethane,  
14 trichlorotrifluoroethane, ethene, ethane, isobutane, propene,  
15 dichloroethylene, trichloroethylene, tetrachloroethylene  
16 lead, cadmium, mercury, 2-butanone, methylene chloride,  
17 tetrachloroethane, toluene, 1,1,1-trichloroethane, xylenes, 1,2-  
18 dichlorobenzene, pesticides, acids, organic peroxides, calcium  
19 carbide, HF acid and diethyl ether are hazardous substances as  
20 defined by Section 101(14) of CERCLA, 42 U.S.C. Section 9601(14),  
21 and Section 302.4 of the National Contingency Plan (NCP), 40 CFR  
22 Part 300.

23 13. Page 8: This paragraph 13 is deleted and replaced with  
24 the following:

25 The presence of characteristic hazardous waste, chlorinated  
26 hydrocarbons, pesticides, acids, organic peroxides, calcium  
27 carbide, HF acid and diethyl ether in the drums, some of which  
28 were leaking, and the presence of methylene chloride,  
29 tetrachloroethylene, trichloroethylene, 1,1-dichloroethylene and  
30 1,1,1-trichloroethane in the surface water, soil and groundwater  
31 at the Site constitutes an actual or threatened "release" as that  
32 term is defined in Section 101(22) of CERCLA, 42 U.S.C. Section  
33 9601(22).

#### 34 DETERMINATIONS

35 16.c. Actual or potential contamination of drinking water  
36 supplies:

37 The following sentences are added to this paragraph 16.c.:

38 Corrosion and cracks in the concrete pad beneath the drums -  
39 - some of which were observed leaking as recently as July 25,  
40 1995 -- create a potential for further releases of hazardous  
41 substances into the underlying soil and groundwater at the Site.

1 Sampling results of a pool of approximately 1000 gallons of  
2 discolored surface water located near a loading dock at the site  
3 revealed the presence of hazardous substances, including  
4 dichloroethylene, trichloroethylene, and tetrachloroethylene.  
5 The direct contact between the liquid containing hazardous  
6 substances with the soil provides a further pathway to soil and  
7 groundwater contamination.

8 16.f. High levels of hazardous substance or pollutants or  
9 contaminants in soils at or near the surface, that may migrate

10 The following sentences are added to Paragraph 16.f.

11 Corrosion and cracks in the concrete pad beneath the drums -  
12 - some of which were observed leaking as recently as July 25,  
13 1995 -- create a potential for further releases of hazardous  
14 substances into the underlying soil and groundwater at the Site.

15 Sampling results of a pool of approximately 1000 gallons of  
16 discolored surface water located near a loading dock at the site  
17 revealed the presence of hazardous substances, including  
18 dichloroethylene, trichloroethylene, and tetrachloroethylene.  
19 The direct contact between the liquid containing hazardous  
20 substances with the soil provides a further pathway to soil and  
21 groundwater contamination.

## 22 ORDER

23 17. The second sentence (page 11, lines 10-12) of paragraph  
24 17 is replaced with the following sentence:

25 "Respondents shall notify EPA in writing by September 18,  
26 1995 stating their unequivocal and irrevocable intent to comply  
27 with the removal activities set forth in paragraphs 21(h-i)  
28 ("Phase II Work") of this Order."

29 18. The second sentence (page 11, lines 20-22) of paragraph  
30 18 is replaced with the following sentence:

31 "Respondents shall submit a Phase II Work Plan for the  
32 activities set forth in Paragraph 21(h-i) by September 18, 1995.

## 33 ADMINISTRATIVE RECORD

34 46. The last sentence (page 17, line 14 is replaced with  
35 this sentence).

36 The Index to the Administrative Record is enclosed with the  
37 Order. (Attachment 3)

1                                    PARTICIPATION AND COOPERATION

2            Paragraph 54 is hereby added to the Order:

3            54. To the extent that any other person or persons  
4            ("Performing parties") are performing or have stated an intent to  
5            perform any requirement of this Order, Respondents shall make  
6            best efforts to coordinate with the performing parties. Best  
7            efforts to coordinate shall include at a minimum:

8                            a) Communication in writing within three (3)  
9            business days of the effective date of the Amendment to the Order  
10           to any performing parties as to the desire to comply with this  
11           Order and to participate in the performance of the work or in  
12           lieu of performance to pay for the performance of the Work;

13                           b) Submission to the Performing Parties within  
14           three (3) days of the effective date of the Amendment to this  
15           Order of a good-faith offer to perform the Work, in whole or in  
16           part, or in lieu of performance to pay for the Work, in whole or  
17           in part;

18                           c) Engaging in good-faith negotiations with any  
19           performing parties to perform or in lieu of performance to pay  
20           for the Work required by this Order if such performing parties  
21           refuses the first offer;

22                           d) To the extent that any other person or  
23           persons ("Performing Parties") are performing or have stated an  
24           intent to perform any requirement of this Order, Respondents  
25           shall make best efforts to participate in the performance of the  
26           Work with the performing parties. Best efforts to participate  
27           shall include, in addition to the requirements set out in above,  
28           at a minimum:

29                                    1) performance of the Work as agreed by any  
30           Respondent and the performing parties to be undertaken by any  
31           Respondent; and

32                                    2) payment of all amounts as agreed by  
33           Respondent and the performing parties to be paid by Respondent  
34           if, in lieu of performance, Respondent has offered to pay for the  
35           Work required by this Order, in whole or in part.

36                           e) Each Respondent shall notify EPA in writing  
37           within five (5) days of receipt of this Order of its intent to  
38           comply with the Order and shall specify Respondent's proposed  
39           manner of compliance with the Order. In addition, each

1 Respondent shall notify EPA in writing within 3 days of the  
2 rejection, if any, by any performing parties of Respondent's  
3 offer to perform or, in lieu of performance, to pay for the Work.

4 f) The undertaking or completion of any  
5 requirement of this Order by any other person, with or without  
6 the participation of a Respondent, shall not relieve any  
7 Respondent of its obligation to perform each and every other  
8 requirement of this Order.

9 g) Any failure to perform, in whole or in part,  
10 any requirement of this Order by any other person with whom a  
11 Respondent is coordinating or participating in the performance of  
12 such requirement shall not relieve any Respondent of its  
13 obligation to perform each and every requirement of this Order.

14 Submission of Documents - On request of EPA and subject to  
15 any claims of applicable privilege(s), Respondents shall submit  
16 to EPA all documents in its possession, custody, or control  
17 relating to (1) offers to any performing parties to perform or to  
18 pay for, or (2) performance of or payment for, the Work required  
19 by this Order in conjunction with any performing parties.

#### 20 OPPORTUNITY TO CONFER

21 With respect to the actions required by Administrative Order  
22 95-15 and this Amendment, the Respondents in Attachment 2 may  
23 have a conference with EPA at 10:00 am, September 11, 1995 at the  
24 following location:

25 U.S. EPA Superfund Records Center Conference Room  
26 95 Hawthorne Street  
27 Suite 403 South  
28 San Francisco, CA 94105-3901  
29 Telephone (415) 536-2000

30 Respondents may appear in person or be represented by an attorney  
31 or other representative. Respondents may present any information  
32 regarding this Order. Regardless of whether a conference is  
33 held, Respondents may submit any information, arguments or  
34 comments in writing to EPA within 2 business days following the  
35 conference. This conference is not an evidentiary hearing, does  
36 not constitute a proceeding to challenge this Order, and does not  
37 give Respondents a right to seek review of this Order.

#### 38 EFFECTIVE DATE

39 The effective date of this Amendment 1 to the Order is September  
40 12, 1995.

1  
2 THIS AMENDMENT TO ADMINISTRATIVE ORDER 95-15 IS ISSUED on this \_\_\_\_  
3 \_\_\_\_ day of \_\_\_\_\_, 1995.

4 UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

5 By: Keith A. Taka  
6 Jeff Zelikson, Director  
7 + Hazardous Waste Management Division  
8 United States Environmental Protection Agency  
9 Region IX

10 Contacts:

11 Richard Martyn  
12 On Scene Coordinator  
13 Emergency Response Section (H-8-3)  
14 United States Environmental Protection Agency  
15 75 Hawthorne Street  
16 San Francisco, CA 94105  
17 (415) 744-2288

18 Bill Weis  
19 Enforcement Officer  
20 Removal Response Section (H-8-4)  
21 United States Environmental Protection Agency  
22 75 Hawthorne Street  
23 San Francisco, CA 94105  
24 (415) 744-2338

25 Janet R. Carlson  
26 Assistant Regional Counsel (RC-3-4)  
27 Office of Regional Counsel  
28 United States Environmental Protection Agency  
29 75 Hawthorne Street  
30 San Francisco, CA 94105  
31 (415) 744-1395  
32



**ATTACHMENT 2**  
**GENERATOR RESPONDENTS**

Airesearch Mfg. Co. of Calif.  
Attn: Legal Department  
9851 Sepulveda Blvd.  
Los Angeles, CA 90009

Airesearch Mfg. Co. of Calif.  
Attn: Legal Department  
2525 W. 190th St.  
Torrance, CA 90509

Airesearch Mfg. Co. of Calif.  
Attn: Legal Department  
20225 Western Ave.  
Torrance, CA 90509

Barnes-Hind/Hydrocurve Inc.  
Attn: Legal Department  
8006 Engineer Rd.  
San Diego, CA 92111

Bell Industries ESD  
Attn: Legal Department  
1831 S. Ritchey St.  
Santa Ana, CA 92705

Bonanza Pontiac Cadillac Olds, Inc.  
Attn: Legal Department  
559 N. Main St.  
Porterville, CA 93257

Borg-Warner Corp-York Div.  
Attn: Legal Department  
16350 Manning Way  
Cerritos, CA 90701

Burtin Urethane  
Attn: Legal Department  
3423 Fordham Ave.  
Santa Ana, CA 92704

Calsonic Climate Control Inc.  
Attn: Legal Department  
9 Holland  
Irvine, CA 92718

Canon Business Machines Inc.  
Attn: Legal Department  
3191 Red Hill Ave.  
Costa Mesa, CA 92627

Century Data Systems  
Attn: Legal Department  
1270 No. Kramer Blvd.  
Anaheim, CA 92806

Chase Bag Co.  
Attn: Legal Department  
4900 Corona Ave.  
Los Angeles, CA 90058

Chem Waste Mgmnt  
Attn: Legal Department  
1704 W. First St.  
Azusa, CA 91702

Ciba Geigy Corp. CMD  
Attn: Legal Department  
5115 E. La Palma Ave.  
Anaheim, CA 92807

Ciba-Geigy Corp. Composite Matls  
Dept.  
Attn: Legal Department  
10910 Talbert Ave.  
Fountain Valley, CA 92708

Ciba-Geigy Corp./Carriage Dr. Site  
Attn: Legal Department  
4021 W. Carriage Dr.  
Santa Ana, CA 92714

Del Mar Avionics  
Attn: Legal Department  
1601 Alton Ave.  
Irvine, CA 92714

Del Mar Avionics  
Attn: Legal Department  
1601 Alcon Ave.  
Irvine, CA 92714

Deutsch Ind. Prod. Div.  
Attn: Legal Department  
37140 Industrial Ave.  
Hemet, CA 92343

Disneyland Central Plant  
Attn: Legal Department  
1600 S. Walnut  
Anaheim, CA 90670

Dow Chemical Co. Long Beach Terminal  
Attn: Legal Department  
305 Henry Ford Ave.  
Long Beach, CA 90731

Esgraph Inc.  
Attn: Legal Department  
6780 8th Street  
Buena Park, CA 90620

Facet Energy Inc.  
Attn: Legal Department  
1317 E. Wardlow Rd.  
Long Beach, CA 90807

Foamex A Limited Partnership  
Attn: Legal Department  
2060 N. Batavia St.  
Orange, CA 92665

Four Star Foundry  
Attn: Legal Department  
7300 E. Compton Blvd.  
Paramount, CA 90723

Gaiser Tool Co.  
Attn: Legal Department  
2075 Knoll Dr.  
Ventura, CA 93003

Gambro Inc. American Membrane  
Division  
Attn: Legal Department  
1450 Industrial Park St.  
Covina, CA 91722

Graham Packaging  
Attn: Legal Department  
10880 Thienes Ave.  
S. El Monte, CA 91733

Hughes Aircraft Co-Microelec Systems  
Div.  
Attn: Legal Department  
2601 Campus Dr.  
Irvine, CA 92714

Hughes Aircraft Co-Radar Systems  
Group  
Attn: Legal Department  
2030 Maple Ave.  
El Segundo, CA 90245

Hughes Aircraft Co-SCG  
Attn: Legal Department  
1920 E. Imperial Hwy  
El Segundo, CA 90009

Huntington Park Rubber Stamp Co.  
Attn: Legal Department  
2761 E. Slauson Ave.  
Huntington Park 90255

IBIS Systems Inc.  
Attn: Legal Department  
5775 N. Lindero Canyon Rd.  
Westlake Village, CA 91362

IBIS Systems Inc.  
Attn: Legal Department  
1850 Evergreen Dr.  
Duarte, CA 91010

Information Management Systems (IMS)  
Attn: Legal Department  
31717 La Tienda Dr.  
Westlake Village, CA 91359

J and S Laboratories Incorporated  
Attn: Legal Department  
1352 Coil Ave.  
Wilmington, CA 90744

J C Shumacher Company  
Attn: Legal Department  
580 Airport Road  
Oceanside, CA 92054

Kolmar Laboratories Inc.  
Attn: Legal Department  
5950 Wilderness Avenue  
Riverside, CA 92504

LA Health Services Harbor/UCLA Med  
Ctr  
Attn: Legal Department  
1000 W. Carson St.  
Torrance, CA 90509

Loma Linda University  
Attn: Legal Department  
Office-Radiation & Hazardous Agents  
Safety  
Loma Linda, CA 92354

Los Angeles Airport Hilton  
Attn: Legal Department  
5711 W. Century Blvd.  
Los Angeles, CA 90045

Lubrication Company of America  
Attn: Legal Department  
12500 Lang Station Rd.  
Los Angeles, CA 91351

Macom  
Attn: Legal Department  
4215 Sorrento Valley Blvd.  
San Deigo, CA 92121

Masco Building Prod. Corp.  
Attn: Legal Department  
4100 Ardmore Ave.  
South Gate, CA 90280

Mattel Inc.  
Attn: Legal Department  
13060 E. Temple  
City of Industry, CA 91744

Mayoni Enterprises  
Attn: Legal Department  
10340 Glenoaks Blvd.  
Pacoima, CA 91331

Moore Printed Circuits Inc.  
Attn: Legal Department  
8575 Aero Dr.  
San Diego, CA 92123

Multi-Chemical Products Inc.  
Attn: Legal Department  
2128 North Merced Ave.  
South El Monte, CA 91733

New Hampshire Ball Bearing Inc.  
Attn: Legal Department  
9730 Independence Ave.  
Chatsworth, CA 91311

Norris Industries Inc.  
Attn: Legal Department  
5215 So. Boyle Avenue  
Los Angeles, CA 90058

Novscap Inc.  
Attn: Legal Department  
1811 No. Keystone St.  
Burbank, CA 91504

Oil & Solvent Process Company  
Attn: Legal Department  
9131 E. 96th Ave.  
Henderson, CO 80640

Patton Co.  
Attn: Legal Department  
601 Sonora Ave.  
Glendale, CA 91201

Patton Div. of Alford Ind. Inc.  
Attn: Legal Department  
601 Sonora Ave.  
Glendale, CA 91201

Rancho San Pedro  
Attn: Legal Department  
375 W. First St.  
San Pedro, CA 90731

Recycling Resources Inc.  
Attn: Legal Department  
1340 W. Lincoln St.  
Phoenix, AZ 85007

Remet Corp.  
Attn: Legal Department  
16511 Knott Ave.  
La Mirada, CA 90638

The Rinchem Co. Inc.  
Attn: Legal Department  
2402 S. 15th Ave.  
Phoenix, CA

Rockwell Int'l Corp/Anaheim  
Attn: Legal Department  
3370 Mira Loma  
Anaheim, CA 92803

Rockwell Int'l Corp/Rocketdyne Div.  
Attn: Legal Department  
6633 Canoga Ave.  
Canoga Park, CA 91304

Rockwell Int'l/Rocketdyne Div. II  
Attn: Legal Department  
Woolsey Canyon Rd.  
Simi Hills, CA 93063

Service Chemical Co.  
Attn: Legal Department  
1341 E. Maywood St.  
Santa Ana, CA 92706

Service Chemical Co. (DBA)  
Attn: Legal Department  
1341 E. Maywood St.  
Santa Ana, CA 92706

The Sherwin-Williams Co.  
Attn: Legal Department  
6930 Telegraph Rd.  
City of Commerce, CA 90040

SIGMA Casting Corporation  
Attn: Legal Department  
925 Charlie Rd.  
City of Industry, CA 91748

Specific Plating Co. Inc.  
Attn: Legal Department  
1350 S. Eastern Ave.  
City of Commerce, 90022

City of Irvine, Landscape Section  
Attn: Legal Department  
One Civic Center Plaza, P.O. Box  
19575  
Irvine, CA 95814

Tension Envelope  
Attn: Legal Department  
15303 So. Marquardt Ave.  
Santa Fe Springs, CA 90670

Upjohn Company CPR Division  
Attn: Legal Department  
555 Alaska Avenue  
Torrance, CA 90503

Vapor Degreaser  
Attn: Legal Department  
11672 Mc Bean Dr.  
El Monte, CA 91732

Warner-Lambert Co.  
Attn: Legal Department  
5115 E. La Palma Ave.  
Anaheim, CA 92807

Yellow Freight System Inc.  
Attn: Legal Department  
2951 Lenwood Rd.  
Barstow, CA 92311